[29th January 1934

Public Health and Sanitation

Grant to the Cumbum Taluk Board for village development during 1932–33.

*518 *Q.*—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) the amount granted to Cumbum Taluk Board for village development and the amount spent by the board last year, 1932–33; and

(*b*) whether it is a fact that the president of this taluk board was not able to utilize the whole by a mistake?

A.—(*a*) No amount was granted.

(*b*) The question does not arise.

Appointment of Water Works Supervisor by the Chairman, Municipal Council, Ootacamund.

*519 *Q.*—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Chairman, Ootacamund Municipal Council, appointed one M.R.Ry. Krishnaswami Mudaliyar as the Water Works Supervisor from 1st April 1933;

(*b*) whether it is a fact that the Government were aware of the fact that the Chairman was going to make the said appointment on the strength of the provision contained in the Budget for 1933–34 and that no objection was raised by the Government regarding the legality or the validity of the provision in the Budget;

(*c*) whether the Government called for information from the Chairman, Ootacamund Municipal Council, regarding the qualification of Mr. Krishnaswami Mudaliyar after the appointment had been made;

(*d*) if the answer to clause (*c*) is in the affirmative, what the necessity for calling for information regarding the qualification of Mr. Krishnaswami Mudaliyar was;

(*e*) whether it is a fact that the Government after a lapse of more than four months after the appointment of Mr. Krishnaswami Mudaliyar called upon the Chairman to show cause why the appointment should not be cancelled on the ground that a mere provision in the Budget was not sufficient authority for the Chairman to make the appointment;

(*f*) whether the Chairman submitted his explanation and, if so, whether the Government will be pleased to lay on the table the entire correspondence on that subject;

(*g*) whether the Chairman informed the Government that he had taken legal opinion before making the appointment and requested the Government to get the opinion of the Advocate-General or any other law officer;

(*h*) if the answer to clause (*g*) is in the affirmative, whether the Government will be pleased to state why legal opinion was not taken by them especially in view of the fact that the Chairman, Ootacamund Municipal Council, had obtained legal opinion;

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(*i*) whether it is a fact that a resolution for validating the Chairman's order appointing a Water-works supervisor was one of the items on the agenda of the municipal council on 31st August 1933, and that in spite of the Chairman's request to defer passing orders till the decision of the Council was known, the Government cancelled the appointment a day before the meeting of the Council; and

(*j*) what the reasons were for not awaiting the resolution of the Council?

A.—(*a*) Yes.

(*b*) Yes, but no objection was raised at the time as the Government were not in full possession of all the facts.

(*c*) Yes.

(*d*) As the Government understood that the person appointed by the Chairman was not suitable for the post of the Water-works Supervisor they called for the information.

(*e*) Yes; but the appointment was objected to not entirely on the ground referred to by the hon. Member but because of the existence of a specific resolution of the municipal council to keep the post in abeyance, which had not been rescinded by it at any time.

(*f*) Yes; but the Government do not consider it necessary to lay the correspondence on the table.

(*g*) Yes.

(*h*) The Government did not consider that any legal opinion was necessary.

(*i*) Yes.

(*j*) Even if the Council ratified the Chairman's action the appointment was still invalid as it was made contrary to the recommendations of the Sanitary Engineer.

Mr. J. A. Davis:—"May I know if Government issued specific subsequent orders directing the filling of this appointment?"

Mr. E. Conran Smith:—"I think all the orders issued by the Government have been mentioned in the answer to the interpellation."

Mr. J. A. Davis:—"May I know whether the orders of Government were placed before the Municipal Council, whether the Chairman prevented compliance with those orders by ruling all resolutions and discussion thereon out of order and whether a protest against such action is before Government?"

Mr. E. Conran Smith:—"The order was placed before the Council but the Chairman disallowed discussion."

Provision of drinking water wells in cheris with houses less than 100 in number.

* 520 *Q.*—Diwan Bahadur A. Appadurai Pillai: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether there is an order of Government to the effect that drinking water wells should not be sanctioned for *cheris* where the number of houses is less than 100;